

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JERMAINE PETERS

CIVIL ACTION


v.

THE CITY OF PHILADELPHIA, et al.

NO. 04-5348

MEMORANDUM ORDER**FILED**

MAY 22 2007

MICHAEL E. KUNZ, Clerk
By  Dep. Clerk

AND NOW, this 22nd day of May, 2007, the above-named plaintiff, proceeding *pro se*, has sent two letters to the court requesting a postponement of his trial date currently set for June 19, 2007 until September, 2007. By letter dated May 8, 2007 and May 21, 2007, defendants expressed their opposition to plaintiff's requests.

Plaintiff's case has been proceeding since 2004. On March 14, 2007, plaintiff's counsel, Michael Pileggi, Esquire, moved for leave to withdraw as counsel, citing irreconcilable differences with the plaintiff. At a hearing on March 28, 2007, plaintiff informed the court that he no longer wished Mr. Pileggi to represent him. Consequently, the court granted Mr. Pileggi's request for leave to withdraw. By order dated March 28, 2007, the court rescheduled the trial to June 19, 2007 and advised the plaintiff to obtain new counsel as soon as possible. On May 3, 2007, plaintiff wrote a letter to the undersigned requesting a continuance of the trial date citing his inability to obtain counsel (Doc. No. 32). By order dated May 8, 2007, the court denied plaintiff's request to continue the trial date.

Plaintiff's latest letter requesting a continuance of the trial date was received on May 10, 2007 (Doc. No. 34). The plaintiff lists several attorneys he asserts would represent him if the trial date was continued to the Fall, 2007.

Because the court believes it would be in the interest of all parties involved in this case to have the plaintiff represented by counsel, it is hereby

ORDERED

that plaintiff's request for a continuance of the trial date is **GRANTED**.

The jury trial is rescheduled to **Tuesday, September 25, 2007 at 10:00 a.m.**, before the undersigned in Courtroom 3-I, Third Floor, U.S. Courthouse, 601 Market Street, Philadelphia, Pennsylvania.¹

Pre-trial memorandum, motions in limine, proposed jury instructions, proposed verdict form, and proposed voir dire shall be filed on or before **September 11, 2007**. Further, proposed jury instructions shall be submitted to Chambers on a 3½” disk formatted for WordPerfect 12.

**PLAINTIFF IS HEREBY ADVISED THAT NO FURTHER
CONTINUANCES WILL BE GRANTED. SHOULD PLAINTIFF BE UNABLE TO
OBTAIN REPRESENTATION, HE MUST BE PREPARED TO PROCEED *PRO SE* AT
THE TRIAL.**

BY THE COURT:


THOMAS J. RUEYER
UNITED STATES MAGISTRATE JUDGE

cc: Jermaine Peters, *pro se*
Jennifer J. Tobin, Esquire
(Via U.S. Mail)

¹ The parties may contact Edward Morrissy (267-299-7044) from the Clerk's Office for a brief training session on the use of the electronic equipment.